

*Town of Cheswold*  
1856



*State of Delaware*  
1787

**Town of Cheswold**  
**Minutes of the Monthly Town Council Meeting**  
**Monday – June 3, 2019**  
**6:00 p.m.**  
**Cheswold Town Hall**  
**691 Main Street**  
**Cheswold, Delaware 19936**

The following persons were in attendance:

Mayor Robert Sine  
Vice Mayor Larence Kirby  
Secretary/Treasurer Theon Callender  
Councilperson Judy Johnson  
Councilperson Santo Faronea  
Councilperson Mark Moxley

**Police Department:** Chief Christopher Workman   **Public Works:** Michael Callender   **Admin:** 0  
Planning Commission: 0   Town Employees: 2   # Residents: 0   Unspecified: 0

**NOTICE:**

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on December 31, 2018, on the Town of Cheswold website at: <http://cheswold.delaware.gov>. Copies of the agenda were posted outside the Cheswold Town Hall; in the local Post Office; at the Fox Pointe Management Office and on the Official Web Site for the Town of Cheswold, at <http://cheswold.delaware.gov>; and was filed with the Clerk of the Town of Cheswold on May 24, 2019. Copies of the agenda were available for pick-up at the Town Hall.

**MEETING:**

The meeting was called to order by Mayor Sine, at 6:00 pm, and was immediately followed by the Pledge of Allegiance and a Moment of Silence.

**PROPERLY POSTED:** Based on the dates of the posting of the meeting and the agendas, Mayor Sine acknowledged that the meeting had been properly posted.

**REVIEW of AGENDA**

Mayor Sine requested the Council and the Chief to review the agenda and to make a motion for approval or revisions, as deemed necessary. Secretary/Treasurer Callender made a motion to revise the agenda to include Item 8d. 2019 – 2020 Budget Review & Vote. Councilperson Faronea made a second to the motion and a roll call vote resulted in the passage of the motion.

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**REVIEW of PEVIOUS'S MONTHS MEETINGS**

Mayor Sine requested the Council to review the accuracy of the previous month's minutes and for a motion to accept them as presented or to make changes and amendment requests as needed.

A motion to accept Town Council minutes, as presented was made by Councilperson Faronea and Councilperson Moxley made a second to approve the motion.

A roll call vote on the motion resulted in a unanimous vote to approve the minutes as follows:

April 1, 2019  
May 4, 2019 – No Minutes; Meeting Not Held – Lack of Quroum

**TREASURER'S REPORT:**

The Mayor requested Council to make any necessary statements or to make a motion to approve the following Treasury Reports, which were read by him:

- a. The Treasurer's Reports for the **Month of May 2019**, are as follows:

**Monthly Cash Flow Comparisons**

<b>TOWN of CHESWOLD</b>	<b>May 2019</b>
Cash Receipts	\$ 38,882.46
Cash Disbursements	\$ 55,062.46
<b>Negative Monthly Cash Flow</b>	<b>(\$ 16,180.00)</b>

<b>ADMINISTRATION</b>	<b>May 2019</b>
Cash Receipts	\$ 35,185.24
Cash Disbursements	\$ 38,370.13
<b>Negative Monthly Cash Flow</b>	<b>(\$ 14,264.17)</b>

<b>POLICE DEPARTMENT</b>	<b>May 2019</b>
Cash Receipts	\$ 1,134.00
Cash Disbursements	\$ 15,398.17
<b>Negative Monthly Cash Flow</b>	<b>(\$ 14,264.17)</b>

<b>PUBLIC WORKS</b>	<b>May 2019</b>
Cash Receipts	\$ 6,563.22
Cash Disbursements	\$ 1,294.16
<b>Positive Monthly Cash Flow</b>	<b>\$ 6,269.06</b>

b. The Treasurer's Report, (**Account Balances**), for the **Month of May 2019**, is as follows:

As of:	May 2019
Capital Account	\$ 30,769.14
Cheswold Heritage Day Account	\$ 4,557.34
Eide Grant Fund Account	\$ 3,819.13
Fire Company Account	\$ 42,543.39
General Fund Account	\$ 120,783.90*
Land Use Applicant's Account	\$ 26,100.68
Litigation Account	\$ 3,457.25
Municipal Street Aid Account	\$ 44,212.86
Salle Grant Fund Account	\$ 2,730.15

**\*The December General Fund Balance for the Town in the Bank Statement reflects a balance of \$270,783.90 however, \$150,000 of that balance is dedicated to the Old Town Water Project as it was received from State Funds can only be used for the Water Project.**

A motion to approve the Treasurers Report was made by Councilperson Faronea. Councilperson Johnson made a second to the motion and a roll call vote on the motion resulted in a unanimous vote to approve.

**c. Requisitions –**

<u>Req. #</u>	<u>Department</u>	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>	<u>To Be Paid By</u>
NOTHING TO REPORT					

**d. Proposed Purchases -**

<u>P.O. #</u>	<u>Department</u>	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>	<u>To Be Paid By</u>
NOTHING TO REPORT					

**e. Proposed 2019 – 2020 Budget & Vote**

Secretary/Treasurer Callender presented the following Draft copy of the 2019 -2020 Budget for review, comment, revision, and vote.

**ANTICIPATED REVENUE:**

Cash Carry-Over 2018 – 2019 ( <i>As of 5/31/18</i> )	\$ 120,801.78
General Fund ( <i>Administration</i> )	\$ 535,000.00
Police Department	\$ 63,600.00
Public Works	\$ 210,850.00
Capital Account – Cash Carry-Over ( <i>As of 5/31/18</i> )	\$ 30,766.53
Cheswold Heritage Day Account Cash Carry-Over ( <i>As of 5/31/18</i> )	\$ 4,899.58
<b>TOTAL</b>	<b>\$ 965,917.89</b>

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## ANTICIPATED EXPENSE:

General Fund* ( <i>Administration</i> )	\$ 598,618.74
Police Department	\$ 312,954.13
Public Works	\$ 9,150.00
Capital	\$ 10,000.00
Cheswold Heritage Day	\$ 1,000.00

**TOTAL \$ 931,722.87**

**DIFFERENCE \$ 34,195.02**

*\*Includes Vann Litigation Payment of \$39,000*

A motion was made by Councilperson Faronea to approve the 2019 – 2020 Budget Summary and associated Line Items and Requested Amounts, as submitted. Councilperson Moxley made a second to the motion and a roll call vote passed the motion.

## TAX COLLECTOR'S REPORT

### a. Month of May 2019

### TAX REPORT: FISCAL YEAR 2018 – 2019

Total Amount Billed: \$152,827.40

Payments as of

#### Current Year: Past Due Paid:

07/31/2018	\$ 22,750.94	\$ 212.72
08/31/2018	\$ 98,852.23	\$ 1,841.46
09/30/2018	\$ 15,520.22	\$ 2,554.16
10/31/2018	\$ 1,607.35	\$ 167.39
11/30/2018	\$ 289.20	\$ 32.13
12 /31/2018	\$ 0.00	\$ 0.00
01/31/2019	\$ 1,559.44	\$ 5.16
02/29/2019	\$ 807.98	\$ 485.48
03/31/2019	\$ 410.40	\$ 61.56
04/30/2019	\$ 2,109.95	\$ 657.51
05/31/2019	\$ 513.02	\$ 155.37
06/30/2019		

The Tax Report was accepted by the Mayor and Council as presented.

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**b. DELINQUENT TAXES – Town Clerk Shadina Jones**

As Ms. Jones was not available for this meeting, the current Delinquent Taxes report was not reviewed.

**POLICE DEPARTMENT REPORT – Chief Christopher Workman:**

**Naxolone Program**– All officers have now been issued Naxolene, (NARCAN), to be used opioid overdose cases. All uses will be recorded and logged as per policy and added to this report.

**2019 - 2020 Budget** - Presented to Council for review and approval.

**FireFly** – FireFly week is fast approaching – FireFly will be taking place from June 19<sup>th</sup> through June 23<sup>rd</sup>, This year the event has been shortened by one day, as they are not allowing campers to begin arriving until Wednesday, which may result in traffic problems in Town on June 19<sup>th</sup>.

**Traffic Summonses –**

Officers issued 316 traffic summons during the month of May.

**Monthly Activity Report –**

Officers responded to or completed reports for 157 Incidents for the month of May.

**Monthly Incident Report –**

Available for view at Town Hall

**PUBLIC WORKS REPORT – Michael Callender**

- **Status Report** – The report was not submitted in time for the meeting.:

	<u>PERMITS ISSUED</u>	<u>NEW VIOLATIONS</u>	<u>CLOSED VIOLATIONS</u>	<u>BUSINESS LICENSES ISSUED</u>	<u>BUILDING INSPECTIONS</u>
May 2019	4	1	0	9	1

- **CODE ENFORCEMENT PROPERTIES**

- **30 New Street – PENDING:** No Change
- **33 New Street – PENDING:** No Change.
- **179 Commerce Street – ONGOING:** Code Enforcement Officer met with the property owner, Mr. James Dowd, his contractor and a DNREC representative regarding the sinkhole located in his yard. This issue has been on the DNREC repair list since 2009. The Board of Adjustment meeting scheduled for June 20, 2019, concerning the “grandfather” and demolition status of this property must be rescheduled to mid-July.

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**PUBLIC WORKS REPORT** – “continued”

**VIOLATIONS:**

- ***Villages of Nobles Pond*** – One violation was issued for Lot #278 (Failed Inspection)

**CONSTRUCTION REPAIRS:**

- ***School Lane Repairs*** – Repairs to be completed by Gateway Construction.  
**NOTE:** Repairs were completed on the day following this meeting. - **COMPLETE**
- ***Town Hall Repairs*** – Mike Callender presented an estimate of \$399.00 for the placement of a new outside door for the Police Department. A motion to approve the purchase was made by Councilperson Faronea and a second was made by Councilperson Moxley. The purchase passed with a unanimous roll call vote of the Council.

**PLANNING COMMISSION REPORT** – Land Use Administrator Sam Callender

**2020 Comprehensive Plan:**

- Survey** – Remains in progress and is expected to be included for delivery to all property owners in the 2019 – 2020 tax bills, scheduled to be sent at the end of June 2019.
- Proposed New Land Use Code** – Ms. Callender explained that in the development process of the 2020 Comp Plan, it has been determined that the property formerly known as Saratoga, will remain as farmland. Our current Land Use Ordinance does not obtain an Agricultural Use Code and an Ordinance needs to be written to include one.
- Proposed New Zoning Code** – Associated to the proposed Use Code is the new Zoning Code of A-1. It is the code that will be used on the Zoning Map to reflect Agricultural properties. It too requires an Ordinance to include it in the Land Use Ordinance document.
- Municipal Comprehensive Land Use Plan Annual Report 2019** – Ms. Callender reminded Council that she had forwarded a copy of the revision to the Report to them for comment and feedback and to date had not received any. She asked if anyone desired to provide comment or feedback at this meeting and there was a negative response. She presented the document to the Mayor and obtained his signature.

**ORDINANCES for APPROVAL** - Town Administrator Sam Callender  
**NOTHING TO REPORT**

**RESOLUTIONS for APPROVAL** - Town Administrator Sam Callender  
**NOTHING TO REPORT**

**PROCLAMATION** - Town Administrator Sam Callender  
**NOTHING to REPORT**

**OLD BUSINESS:**

**a. Business Contacts – Vice Mayor Kirby:**

Vice Mayor Kirby reported that he visited the retail businesses within the corporate limits of the Town of Cheswold and introduced himself, the Mayor and Town Council. He informed the owners/managers that Council is available to address any issues they may have about running their operations in Town and asked them to expect and accept requests from the Office for donations for Heritage Day.

**b. Town of Cheswold vs. Cheswold Business Park – Town Administrator Sam Callender**  
*Next Steps – NO CHANGE REMAINS AS PENDING*

**c. Heritage Day 2019 – Councilperson Judith Johnson:**

Ms. Johnson reported that all vendors are almost sold out. She requested assistance from Council on handling parking as our Police Department will be busy with FireFly activities.

Councilperson Faronea volunteered, along with Code Enforcement Officer Mike Callender. The Chief volunteered Officer Ketterer to coordinate. Meeting with some tribe members on more details and will know a specific location after tonight's Firehouse meeting.

**d. Spring Clean-up – Code Enforcement Officer Mike Callender:**

Mr. Callender reported that the event was a success. The Town filled four dumpsters and transported tires and other items to Sand Town. He additionally stated that it will be easier to conduct the day next year, based on the information obtained at this event. Ms. Callender, Town Administrator promised to have a financial report ready for next month's meeting.

Mayor Sine appreciated Mike Callender and Matt Maugle for the work they did on developing, coordinating and implementing the project and Chief Workman for the support he provided to ensure safety.

**e. Water to Old Town - Town Administrator Sam Callender:**

Remains pending on response and directions from Tidewater.

**NEW BUSINESS:** Nothing to Report

**MOVE to EXECUTIVE SESSION:**

Ms. Callender made a motion, at 6:27 pm, to move to Executive Session to discuss Police Department personnel matters. The motion was passed with a second from Councilperson Faronea and a roll call vote of the Council.

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**RETURN from EXECUTIVE SESSION:**

The Mayor, Council and Chief Workman returned to the regular Council meeting at 6:42 pm. There were no issues discussed that required a vote in the regular meeting.

**COMMUNITY COMMENTS:** Nothing to Report

**COUNCILPERSON COMMENTS:**

**Councilperson Theon Callender** – Nothing to Report.

**Councilperson Judith Johnson** – *There is a swimming pool at 244 Fulton Street and it is not enclosed by a fence. She asked if a permit had been obtained to place the pool. Code Enforcement Officer responded that a permit had not been obtained and the site would be visited and addressed.*

**Councilperson Larence Kirby** - Nothing to Report.

**Councilperson Santo Faronea** – Nothing to Report.

**Councilperson Mark Moxley**– Nothing to Report.

**MAYOR'S COMMENTS:**

Earlier in the meeting the Mayor expressed his thanks to Councilperson Faronea for his coordination and involvement with the POW-MIA event held at Nobles Pond on last Saturday, He also thanked Vice Mayor Kirby and Councilperson Moxley for attending and supporting the event.

**Motion to Adjourn**

A motion was made by Councilperson Callender, seconded by Councilperson Johnson to adjourn at 6:45 p.m. A roll call vote on the motion resulted in a unanimous vote to approve. The meeting adjourned immediately thereafter.

**Submitted by:** *Secretary/Treasurer Sam Callender*  
*June 7, 2019*